

THE CITY COUNCIL

OFFICIAL PROCEEDINGS

REGULAR MEETING

Quincy, Illinois, March 22, 2010

The regular meeting of the City Council was held this day at 7:30 p.m. with Mayor John A. Spring presiding.

The following members were physically present:

Ald. Bumbry, Goehl, Duesterhaus, Bauer, Moore, Havermale, Farha, Sassen, Rein, Lepper, Vahlkamp, Brink, Holtschlag, Reis. 14.

The minutes of the regular meeting of the City Council held March 15, 2010 were approved as printed on a motion of Ald. Duesterhaus. Motion carried.

The City Clerk presented and read the following:

HYDROPOWER UPDATE

Rules Suspended

Ald. Reis moved the rules be suspended at this time to hear from Klingner & Associates, P.C. to give a Power Point Update of the Hydropower Project. Motion carried.

Mike Klingner and John Neyens, Klingner & Associates, P.C. gave a power point review of where we were in pursuing licenses, various studies, 1603 Grant Fund Program, formation of the LLC, Request for Proposals for equity partners and the timeline through 2014. They also answered questions from the Aldermen.

Ald. Moore moved the rules be resumed. Motion carried.

PETITIONS

By the Adams County Council for Senior Citizens requesting permission to conduct a raffle and waive the bond requirement from 3/29/10 through 5/27/10. The City Clerk recommends approval of the permit.

Ald. Reis moved the prayer of the petition be granted. Motion carried.

By QHS Class of 2010 All Night Party Committee requesting permission to hold their all night party on Friday, May 28, 2010, at the Tangerine Bowl, beginning at 10:00 p.m. and ending at 5:00 a.m. They are also requesting Section 18.027 (Closing hours) be waived so the Tangerine Bowl can remain open for this event and Section 30.401 (Curfew) be waived during the night to permit participants under the legal curfew age to return to their homes without incident.

Ald. Farha moved the prayer of the petition be granted and the proper authorities notified. Motion carried.

By Law Enforcement Torch Run for Special Olympics requesting permission to hold their run on June 8th beginning at 7:00 a.m. at Transitions 631 North 48th, and running north on Columbus Road then East leaving the city limits.

Ald. Havermale moved the prayer of the petition be granted and the proper authorities notified. Motion carried.

By Tim Winfield, 222 N. 16th, requesting permission to park a trailer in a "No Parking Zone" in front of 222 N. 16th on March 31st for one day. The City Engineer presents this request for approval stating temporary "No Parking" signs will be needed to be placed on the opposite side of the street to maintain proper and safe traffic flow due to the narrowness of this street.

Ald. Farha moved the prayer of the petition be granted and the proper authorities notified. Motion carried.

MAYOR'S APPOINTMENT

By Mayor John A. Spring making the appointment of Chase Lough to the Zoning Board of Appeals.

Ald. Vahlkamp moved the appointment be confirmed. Motion carried.

RESOLUTION

WHEREAS, the City of Quincy has been awarded a grant in the amount of One million nine hundred thousand dollars (\$1,900,000) (The "grant") by the Illinois Housing Development Authority (the authority) whereby the Authority has applied for and received an allocation of funds ("NSP Funds") from the United States Government under the Neighborhood Stabilization Program (The "Neighborhood Stabilization Program") as authorized by Title III of Division B of the Housing and Economic Recovery Act of 2008, Public law 110-289.

NOW THEREFORE BE IT RESOLVED that the City of Quincy shall enter into a Neighborhood Stabilization Program

Agreement (the Agreement) with the Authority wherein the Authority agrees to make the Grant to the City of Quincy which shall be used by the City of Quincy for the purposes described in and all in accordance with the terms and conditions set forth in the Agreement in order to make grants or loans for or in connection with the certain activities in furtherance of the National Objective and other uses of NSP Funds permitted under the NSP Laws, including, without limitation: (I) the establishment of financing mechanisms to purchase and redevelop Foreclosed upon homes and residential properties, including such mechanisms as so-called "soft" second priority mortgage loans, loan loss reserves, and shared-equity loans for Low- and Moderate-Income homebuyers; (II) the purchase and rehabilitation of homes and residential properties that have been Abandoned or Foreclosed upon, in order to sell, rent or redevelop such homes and properties; (III) the establishment of "land banks" for homes that have been foreclosed upon; (IV) the demolition of blighted structures; and/or (V) the redevelopment of demolished or vacant properties (each an "eligible use", and collectively the "eligible uses") all as more specifically provided in the Agreement. Terms not otherwise defined herein shall have the meaning ascribed to them in the Agreement.

BE IT RESOLVED FURTHER that any one of the following individuals, being John A. Spring, as Mayor of the City of Quincy and/or Charles T. Bevelheimer, Director of Quincy Department of Planning & Development, without the necessity or requirement for the signature of another person, are each hereby individually directed and individually authorized to take such action as such individual deems necessary to effectuate the foregoing and such individual is hereby directed and individually authorized to execute on behalf of the City of Quincy the Agreement and all other documents and instruments relating to the Grant to be delivered to the Authority in connection with the closing of the Grant.

BE IT RESOLVED FURTHER that the City of Quincy hereby ratifies, authorizes, confirms and approves any prior action of the City of Quincy taken in furtherance of the foregoing and any and all documents and instruments previously executed on behalf of the City of Quincy in connection with the Grant.

APPROVED BY THE COUNCIL FOR THE CITY OF QUINCY, STATE OF ILLINOIS AND APPROVED BY ITS MAYOR THIS 23RD DAY OF MARCH, 2010.

APPROVED:

John A. Spring, Mayor

Jenny Hayden, Clerk

Ald. Havermale moved for the adoption of the resolution, seconded by Ald. Duesterhaus, and on the roll call each of the 14 Aldermen voted yea. Motion carried.

RESOLUTION

BE IT RESOLVED, by the Mayor and City Council of the City of Quincy, Illinois, that there is hereby appropriated the sum of \$955,000.00 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from May 1, 2010 to April 30, 2011.

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Springfield, Illinois.

Ald. Sassen moved for the adoption of the resolution, seconded by Ald. Farha, and on the roll call each of the 14 Aldermen voted yea. Motion carried.

RESOLUTION

WHEREAS, the Federal Trade Commission has established policies and procedures for safeguarding Borrower information to assure that appropriate measures be taken to dispose of Borrower information; and

WHEREAS, the Personal Information Act requires that any entity that handles, collects, disseminates, or otherwise deals with nonpublic Borrower information provide notice of any breach of the security of Borrower information to that person; and

WHEREAS, the Office of Economic Development of the Department of Planning and Development of the City of Quincy frequently deals with Borrower information through its agreements with the Illinois Housing Development Authority and other sponsoring entities of community development programs in the City of Quincy; and

WHEREAS, the City of Quincy is a home rule unit of local government pursuant to the provision of §6, Article VII (Local Government) of the Constitution of the State of Illinois; and

WHEREAS pursuant to such authority and such other authority as may be established by law, the Ordinance is being adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF QUINCY, IN ADAMS COUNTY, ILLINOIS, as follows:

1. That the Department of Planning and Development hereby adopts the Privacy Policy set forth in "Exhibit A" attached hereto and incorporated herein by reference and hereby designates the Director of Community Development as the person responsible for implementing and maintaining the Privacy Policy.

This Resolution shall be in full force and effect from and after its passage, as provided by law.

Passed this 22nd day of March, 2010.

Ayes: 14

Nays: 0

Absent: 0

Approved this 23rd day of March, 2010.

John A. Spring, Mayor

Jenny Hayden, City Clerk

Ald. Havermale moved for the adoption of the resolution, seconded by Ald. Duesterhaus, and on the roll call each of the 14 Aldermen voted yea. Motion carried.

ORDINANCE

Adoption of an ordinance entitled: An Ordinance Amending Article VII (Snow Removal) Of Chapter 14 (Streets And Sidewalks) Of The Municipal Code Of The City Of Quincy Of 1980. (adds: Harrison, 12th to 48th)

Ald. Rein moved for the adoption of the ordinance, seconded by Ald. Lepper, and on the roll call each of the 14 Aldermen voted yea.

The Chair, Mayor John A. Spring, declared the motion carried and the ordinance adopted.

ORDINANCE

Adoption of an ordinance entitled: An Ordinance Amending Article II (Rules Of Order) Of Chapter 2 (The City Council) Of The Municipal Code Of The City Of Quincy, 1980, As Amended. (adds: public forum)

Ald. Lepper moved for the adoption of the ordinance, seconded by Ald. Farha.

Ald. Duesterhaus made a substitute motion to amend the ordinance under Section 2.201 by substituting "Open Forum" to be listed as number nine after "New Business", seconded by Ald. Bauer and on the roll call the following vote resulted: Yeas: Ald. Bumbry, Goehl, Duesterhaus, Bauer, Holtschlag, Reis. 6. Nays: Ald. Moore, Havermale, Farha, Sassen, Rein, Lepper, Vahlkamp, Brink. 8. Substitute motion lost.

Ald. Duesterhaus made a substitute motion to amend Section 5 Repeal by adding the sentence: This ordinance is repealed after the first meeting in October 2010 and open forum is removed from the order of business, seconded by Ald. Bauer, and on the roll call the following vote resulted: Yeas: Ald. Bumbry, Goehl, Duesterhaus, Bauer, Holtschlag, Reis. 6. Nays: Ald. Moore, Havermale, Farha, Sassen, Rein, Lepper, Vahlkamp, Brink. 8. Substitute motion lost.

The original motion to adopt the ordinance resulted in the following roll call vote: Yeas: Ald. Bumbry, Goehl, Moore, Havermale, Farha, Sassen, Rein, Lepper, Vahlkamp, Brink, Holtschlag. 11. Nays: Ald. Duesterhaus, Bauer, Reis. 3.

The Chair, Mayor John A. Spring, declared the motion carried and the ordinance adopted.

ORDINANCE

Second presentation of an ordinance entitled: An Ordinance Of The City Of Quincy, Adams County, Illinois Approving A Tax Increment Redevelopment Plan And Redevelopment Project (Quincy Downtown II).

ORDINANCE

Second presentation of an ordinance entitled: An Ordinance Designating The City of Quincy Downtown Quincy II Tax Increment Redevelopment Project Area.

ORDINANCE

Second presentation of an ordinance entitled: An Ordinance Adopting Tax Increment Financing (Quincy Downtown II Tax Increment Redevelopment Project Area).

ORDINANCE

Second presentation of an ordinance entitled: An Ordinance To Utilize Revenues From The Central Business District West Redevelopment Project Area For Eligible Costs In The Downtown Quincy II Redevelopment Project Area.

ORDINANCE

First presentation of an ordinance entitled: An Ordinance Vacating Alleys. (bounded by Broadway, Spring, North 12th and North 13th Streets)

Ald. Reis moved the ordinance be read by its title, seconded by Ald. Holtschlag. Motion carried.

The City Clerk read the ordinance by its title.

Ald. Reis moved the requirements of Section 2.207 of the Code of the City of Quincy be waived and the ordinance adopted, seconded by Ald. Holtschlag, and on the roll call the following vote resulted: Yeas: Ald. Bumbry, Goehl, Duesterhaus, Bauer, Moore, Havermale, Farha, Sassen, Rein, Lepper, Holtschlag, Reis. 12. Nay: Ald. Vahlkamp. 1. Abstain: Ald. Brink. 1.

The Chair, Mayor John A. Spring, declared the motion carried and the ordinance adopted.

ORDINANCE

First presentation of an ordinance entitled: An Ordinance Granting A Special Use Permit For A Planned Development. (1000 Broadway)

Ald. Reis moved the ordinance be read by its title, seconded by Ald. Holtschlag. Motion carried.

The City Clerk read the ordinance by its title.

ORDINANCE

First presentation of an ordinance entitled: An Ordinance Granting A Special Use Permit For A Planned Development. (812 Hampshire)

Requests to Speak

Written requests to speak under suspended rules by Shayne Appel, 1256 Hampshire, petitioner of Lucky Dog Day Care, Norbert F. Pohlman, 1004 Eastate Dr., Keith Kaufmann, 815 Maine, Gary Musholt, 437 N. 9th, Mark LeGrand, 126 N. 8th, Dan Veihl, 4209 Hampton Lane, regarding Lucky Dog Day Care.

Rules Suspended

Ald. Holtschlag moved the rules be suspended at this time to hear from the above individuals. Motion carried.

Shayne Appel's, 1256 Hampshire, petitioner of Lucky Dog Day Care, main concern tonight is the opposition and how she has alleviated their concerns. Two of those oppositions are barking and sanitation. She feels she has alleviated the barking concern. The big concern was the sanitation and other businesses were concerned with run off. They met with the Health Dept. and came to a conclusion the Health Dept. was happy with to help prevent run off. The petitioner would put in a 2' trench filled with pea gravel that would help with run off and sanitize it to help keep it clean. She felt the businesses do not understand what she does and they have not taken the time to understand what they are opposing. The petitioner's practice has been approved by the Health Dept. and the USDA. She asked the council to approve the special permit for a planned development.

Norbert F. Pohlman, 1004 Eastate Dr., Adjutant of the American Legion Post 37 located at 116 N. 8th Street, read a letter from the Health Department recommending some form of primary containment around any outdoor area where any animal waste may be present and subject to run off. He felt another pollution problem would be excessive barking of so many dogs in this area. Also, Hampshire is a one way street running west. The other ingress/egress to this facility would be the alley. The alley is not wide enough for two cars to meet which could present a problem of getting the dogs in and out both morning and evening. He also stated the American Legion has invested \$30,000 to improve their property and asks the council to protect their investment and refer this request back to the Plan Commission for further study and recommendations.

Keith Kaufmann, 815 Maine, stated Shayne Appel has not alleviated any of their concerns. He felt she has misrepresented some facts. All the businesses surrounding her business do not support her at all. He felt zoning is to protect and maintain a successful business environment and a way of life for which it was proposed. He stated their block has created that successful business environment. He asked the council to protect them and not allow this non-conforming special permit in this area.

Gary Musholt, 437 N. 9th, owns property at 806 Hampshire. He stated before any vote is taken this needs to be referred back to the Planning Commission, Engineering and Legal for further study. The applicant should supply additional infor-

mation and documentation. No vote should take place at this time. It is too premature for a council vote as the issues are many and these issues should not be fast tracked. There is risk to the city, to local businesses and the public that have not fully been investigated or appreciated. He felt there are insurance risks and considerations. He felt additional study should be made for traffic, environmental, water flow and animal impact. He asked the council to send this matter back for further study with the applicant providing an Engineering study, at the very least, water flow, traffic and proof of environmental contamination coverage.

Mark LeGrand, 126 N. 8th, owner of this property was surprised that this type of facility would even be proposed by the Plan Commission for a special permit. D2 expressly excludes the use of an outdoor kennel as permitted use. Zoning is to protect the area and he felt if this permit is allowed it could be cause for litigation. He also had concerns as to what this type of facility will do to their property values. He asked that this be referred back to the Plan Commission for further consideration.

Dan Veihl, 4209 Hampton Lane, owns and operates the Butcher Block at 819 Maine. It is the belief of this business that the waste retainage system be reproved by the owners of Lucky Dog Day Care is inadequate. They have worried for the last week about whether their zoning issues were going to be infringed upon. He came to the downtown area coming to be protected by a zoning issue. Now they are going to be affected by zoning issues, not only food safety issues but also his property value.

Ald. Vahlkamp moved the rules be resumed. Motion carried.

Ald. Holtschlag moved the ordinance be read by its title, seconded by Ald. Farha., Ald. Rein stating a no vote. Motion carried.

The City Clerk read the ordinance by its title.

REPORT OF FINANCE COMMITTEE

Quincy, Illinois, March 22, 2010

	Transfers	Expenditures	Payroll 3/27/10
City Hall		6,176.67	748.33
Planning & Development	16,500.00		
Central Garage	36,000.00		
Central Services	14,000.00		
Airport	5,000.00		
Building Maintenance		1,378.88	
Legal Department		312.32	
Fire and Police Comm.		253.73	
MIS Department		2,412.15	
Police Department.....		8,653.98	
Fire Department		1,588.45	
Engineering		1,009.04	
Eng-Landfill		18.00	
Eng-Street Lights & Signs		35,459.62	
GENERAL FUND SUBTOTAL	71,500.00	57,262.84	748.33
Planning and Devel		7,631.29	
911 System		15,515.21	
Traffic Signal Fund		2,924.69	
Police Dept. Grants		700.00	
Crime Lab Fund		3,503.90	
Transit Fund		3,634.18	25,314.31
Capital Projects Fund		22.68	
Sanitation Conn Fee/Exp Fund		1,272.70	
Special Capital Funds		748.29	
Special Tax Alloc - TIF #2		275.00	
Water Fund			
Utilities Dept		55,101.40	16,172.93
Central Services		3,007.93	16,942.95
Sewer Fund			
Central Services		7,548.14	9,897.31
Utilities Dept		5,531.95	8,687.27
Quincy Regional Airport Fund		2,301.20	2,533.60

Municipal Dock		250.00	1,023.46
Regional Training Facility		229.20	
Central Garage		11,436.85	9,584.00
Central Services Fund		66,587.35	24,950.74
Self Insurance		2,638.03	
Health Insurance Fund		285.33	
BANK 01 TOTALS	71,500.00	248,408.16	115,854.90
2009 G/O Hydro Proj Fund		108,755.26	
2009C G/O Library Proj Fund		22,729.47	
ALL FUND TOTALS	71,500.00	379,892.89	115,854.90

Steve Duesterhaus
Michael Farha
Anthony E. Sassen
Ben Bumbry, Jr.
Raymond Vahlkamp
Finance Committee

Ald. Duesterhaus, seconded by Ald. Vahlkamp, the reports be received and vouchers be issued for the various amounts and on the roll call each of the 14 Aldermen voted yea. Motion carried.

MOTIONS

Ald. Bauer referred to the Engineering Department to check the alley between Spruce and Sycamore, 15th and 18th. Motion carried.

Ald. Bauer referred to the Police Chief to send beer garden owners in the Third Ward a reminder of what the rules are with summer coming. Motion carried.

Ald. Farha moved to allow a dumpster on city right-of-way at 1100 S. 24th on the Monroe Street side for two weeks. Motion carried.

Ald. Rein referred to Central Services to fix the damage done to the right-of-way at 2619 Curved Creek. Motion carried.

Ald. Rein referred to Central Services to fix the damage done to the property at 34th & Kingsridge. Motion carried.

Ald. Rein moved to allow a block party on March 28th from noon to 8:00 p.m. on Emerald Drive with barricades on both ends of the drive. Motion carried.

Ald. Holtschlag moved to allow dumpster on city right-of-way at 649 Adams placing dumpster on 7th Street side starting March 29th for one week. Motion carried.

Ald. Reis moved to block city sidewalk on the southeast corner at 8th and Maine for the next four days starting March 23rd. Motion carried.

The City Council adjourned at p.m. on a motion of Ald. Havermale. Motion carried.

JENNY HAYDEN, CMC
City Clerk